

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RODRIGO MARRUFO-PINEDA,

Defendant.

8:24CR85

**PRELIMINARY ORDER
OF FORFEITURE**

This matter is before the Court upon the government's Motion for Preliminary Order of Forfeiture (Filing No. 198). The Court has carefully reviewed the record in this case and finds as follows:

1. On November 25, 2024, defendant Rodrigo Marrufo-Pineda ("Marrufo-Pineda") pleaded guilty to Count I of the Indictment (Filing No. 1) and admitted the Forfeiture Allegation. Count I charged Marrufo-Pineda with conspiracy to possess with intent to distribute more than 500 grams of a mixture or substance containing a detectable amount of methamphetamine; in violation of 21 United States Code section 846.

2. The Forfeiture Allegation sought forfeiture, pursuant to 21 U.S.C. § 853, of \$3,300 in United States currency seized from the possession of Fernando Mendez on or about October 12, 2023; \$7,924 in United States currency seized from the possession of Alberto Ayala-Ordonez on or about January 19, 2024; \$4,000 in United States currency seized from the possession of Gregory Scott Dreher on or about October 2, 2023; \$784 in United States currency seized from the possession of Kristina Lynn Schmidt on or about December 28, 2023; \$14,955 in United States currency seized from the possession of Kevin Y. Amenta-Aguilar and Katia Y. Serrano-Flores on or about March 8, 2024; and a

2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853 seized from the possession of Alberto Ayala-Ordenez on or about January 19, 2024, as property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

3. Based on Marrufo-Pineda's guilty plea and admission, Marrufo-Pineda forfeits his interest in the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, and the government is entitled to possession of any interest Marrufo-Pineda has in the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, pursuant to 21 U.S.C. § 853.

4. The government's Motion for Preliminary Order of Forfeiture is granted.

IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 198) is granted.
2. Based upon the Forfeiture Allegation of the Indictment (Filing No. 1) and Marrufo-Pineda's guilty plea and admission, the government is hereby authorized to seize the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853.
3. Marrufo-Pineda's interest in the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, is hereby forfeited to the

government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

4. The \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, are to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, in such manner as the Attorney General may direct, and notice that any person, other than Marrufo-Pineda, having or claiming a legal interest in the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, and any additional facts supporting the Petitioner's claim and the relief sought.
7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the \$3,300 in United States currency; \$7,924 in United States currency; \$4,000 in United States

currency; \$784 in United States currency; \$14,955 in United States currency; and a 2006 Silver Hyundai Santa Fe, VIN: KM8SC73E36U108853, as a substitute for published notice as to those persons so notified.

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 6th day of December 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge